

RECEIVED

JAN 31 2003
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY SV DEPUTY CLERK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

FEB 19 2003

U. S. DISTRICT COURT
CLERK'S OFFICE
Deputy

CIVIL ACTION NO.

A03 CA 057SS

Al.

CLAUDE L. RIVERS SR,

AN INDIVIDUAL that is a Plaintiff,
CITIZEN of the State of TEXAS

Bi.

Housing Authority
City of AUSTIN AND Defendant.
Section 8, v.

A MUNICIPAL CORPORATION

MAY be served by

Marshall Office at 1640-B East 2nd Austin, Tx 78702
AND

RITA WANSTROM, AN INDIVIDUAL, who is a citizen
of the State of TEXAS, may be served with
process at 1640-B East 2nd Austin, Tx
78702 OR ATTORNEY JIM EW BANK
221 West 6th Street Ste. 900 Austin, Tx
78701,

✓ JACKSON Cole, AN INDIVIDUAL, who is a
CITIZEN of the State of TEXAS, may be
Served with process at 1640-B East
2nd Austin, Tx 78702 OR Attorney
JIM EW BANK 221 West 6th Street
Ste. 900 Austin, Tx 78701,

1

✓
HENRY Flores, AN INDIVIDUAL, who is A
CITIZEN of the STATE of TEXAS, may be
Served with process At 1640-B EAST 2nd
Street Austin, TEXAS 78702 OR ATTORNEY
JIM EWBANK 221 West 6th Street
Ste. 900 Austin, TEXAS 78701

✓
CARL S. Richie II, AN INDIVIDUAL,
who is A CITIZEN of the STATE of TEXAS,
may be Served with process At
1640-B East 2nd Street Austin, TEXAS
78702 OR ATTORNEY JIM EWBANK
221 West 6th Street Ste. 900 Austin,
TEXAS 78701

✓
Charles Bailey, AN INDIVIDUAL, who is
A CITIZEN of the State of Texas, may be
Served with process At 1640-B East 2nd
Street Austin, TEXAS 78702 OR ATTORNEY
JIM EWBANK 221 West 6th Street
Austin, TEXAS 78701

✓ James L. HARGROVE, AN INDIVIDUAL, who is a citizen of the State of TEXAS, may be served with process at 1640-B East 2nd Street Austin, TEXAS 78702 OR ATTORNEY Jim EWBANK 221 West 6th Street Ste. 900 Austin TX 78701

✓ Judy PACIOCCO, AN INDIVIDUAL, who is a citizen of the State of TEXAS, may be served with process at 1640-B East 2nd Street Austin, TEXAS 78702 OR ATTORNEY Jim EWBANK 221 West 6th Street Austin, TEXAS 78701

✓ Lisa Garcia, AN INDIVIDUAL, who is a citizen of the State of TEXAS, may be served with process at 1640-B East 2nd Street Austin, TEXAS 78702 OR ATTORNEY Jim EWBANK 221 West 6th Street Ste. 900 Austin, TEXAS 78701

✓ DIANE FALCON, AN INDIVIDUAL, who is
A CITIZEN of the STATE of TEXAS, may be
Served with process AT 1640-B EAST
2nd STREET AUSTIN, TEXAS OR
ATTORNEY JIM EWBANK 221 West
6th Street Ste. 900 AUSTIN, TEXAS 78701

✓ KENNETH HARRINGTON, AN INDIVIDUAL,
who is a CITIZEN of the STATE of TEXAS,
MAY be SERVED with process AT
1640-B East 2nd Austin, TEXAS 78702
OR ATTORNEY JIM EWBANK 221
West 6th Street Ste. 900 Austin
TEXAS 78701

✓ Mary F. Reece, AN INDIVIDUAL, who is a
CITIZEN of the STATE of TEXAS, may be served
with process AT 6103 MANOR ROAD #124
AUSTIN, TEXAS 78723.

[Fed. R. Civ. P. 4(e)]

[Fed. R. Civ. P. 4(j)(2)].

A. Jurisdiction

The Court has jurisdiction over the lawsuit because the ACTION ARISES under the 14th Amendment TO the UNITED STATES CONSTITUTION

The Housing Authority of the City of Austin and SECTION 8 have violated the PLAINTIFF CONSTITUTIONAL Rights by TORTIOUS EXTRACTION of money from Utility ASSISTANCE payments without Due Process of law AND DENIED

CONSTITUTIONALLY GUARANTEED right TO DOMESTIC TRANQUILITY by the Delivery of A CONTROLLED substance - MARIJUANA - To the PLAINTIFF residence by AN OFFICIAL of SECTION 8. MAIL Fraud.

28 U.S.C. 1331, 5 U.S.C. 702,
42 U.S.C. 1404a AND 12 U.S.C. 1702
28 U.S.C. 1339

B. Jurisdiction

The Court has jurisdiction OVER the lawsuit because the ACTION Arises UNDER 42 U.S.C. 1437d (L) AND 42 U.S.C. 1437j (D) (b) AND 42 U.S.C. 1437u (c), 6(K) [42 U.S.C. 1437d (K)]

The Congressionally guaranteed rights To Timely Redress IN Court.

28 U.S.C. 1339
28 U.S.C. 1331, 5 U.S.C. 702, 42 U.S.C. 1404a, 12 U.S.C. 1702, 42 U.S.C. 1437d (L), 42 U.S.C. 1437j (D) (b) AND 42 U.S.C. 1437u (c), 6(K) [42 U.S.C. 1437d (K)].

C. Conditions Precedent

All conditions precedent have been performed or have occurred.

[Fed. R. Civ. P. 9(c)]

D. U.S. CONST. mends. 14, 5, 18 U.S.C. 1964(c)
AND (D) Hobbs Act (18 U.S.C. 1951)

Beginning IN OR ABOUT JANUARY
1 OF 1997, the EXACT DATE of which
IS UNKNOWN TO the PLAINTIFF AND
CONTINUANT TO PRESENT (JANUARY 21
OF 2003) AND beyond, IN THE WESTERN
DISTRICT OF TEXAS. DEFENDANTS;

RITA WANSTROM, JACKSON COLE, HENRY
FLORES, CARL S. RICHIE II, CHARLES BAILEY,
JAMES L. HANGROVE AND JUDY PACIOCO
UNLAWFULLY AND INTENTIONALLY did combine
CONSPIRE, CONFEDERATE AND AGREE with
OTHER TO TORTIOUS EXTRACT MONEY FROM
UTILITY PAYMENT ASSISTANCE FUNDS.

Commit MAIL FRAUD by POSTING
reduced UTILITY PAYMENT ASSISTANCE
CHECKS. ASSOCIATED with LISA
GARIA AND DIANE FALCON, who

AIDED AND ABETTED by EACH OTHER
AND OTHERS DID KNOWINGLY AND INTENTIONALLY
TORTIOUS EXTRACT money from UTILITY
PAYMENT ASSISTANCE FUNDS.

Commit Mail Fraud by Possing Reduced
Utility Payment Assistance Checks.

Beck V. Prupis (2000) 529 US 494, 146 L
Ed 2d 561, 120 S Ct. 1608, 2000 CDOs
3177, 2000 Daily Journal DAR 4285, 16
BNA IER Cas 271, RICO Bus Disp
Guide (CCH) ¶ 9869, 2000 Colo JCAR
2188, 13 FLW Fed 261

HAROCO, INC. V AMERICAN NAT'L BANK &
Trust Co. (1984, CA III) 747 F2d 384,
affd (1985) 473 US 606, 87 L ED 2d
437, 105 S Ct. 3291 CCH Fed Secur L
Rep ¶ 92087, 1985-2 CCH Trade
Case ¶ 6667.

Blue Cross + Blue Shield of N.J., Inc. V. Phillip Morris, Inc. (1999, ED NY) 36 F Supp 2d 560, 23 EBC 2413, RICO Bus Disp Guide (CCH) 91 9686, 1999-1 CCH Trade Cases 91 72520 (criticized in Group Health Plan, Inc. V. Phillip Morris, Inc. (2000, DC Minn) 86 F Supp 2d 912, 24 EBC 2448, RICO Bus Disp Guide (CCH) 91 9853) AND (criticized in Allegheny Gen. Hosp. V. Phillip Morris, Inc. (2000, CA3 Pa) 228 F3d 429, RICO Bus Disp. Guide (CCH) 91 9949, 2000-2 CCH Trade Cases 91 73058).

Banco de Ponce V. Negrón (1989, ED NY) 726 F Supp 926, ~~affd~~ without op (1990, CA2 NY) 923 F2d 842, cert den (1991) 498 US 1087, 112 L Ed 2d 1050, 111 S Ct. 964.

Domestic Linen Supply & Laundry Co.
V. Central States, Southeast & South-
west Areas Pension Fund (1989, ED
Mich) 722 F Supp 1472, 11 EBC
1955, 132 BNA LRRM 2769, 114
CCH LC 91 11845.

Berg V. First American Bankshares, Inc.
(1986, App DC) 254 US App DC 198,
796 F2d 489, CCH Fed Secur L Rep
9192833.

Glusband V. Benjamin (1981, SD NY)
530 F Supp 240

E: U.S. CONST. AMENDS. 14, 18 U.S.C. 1964
(C) AND (D)

Beginning IN or ABOUT the LAST week
OF November, 2001, the EXACT DATE OF
which is UNKNOWN TO PLAINTIFF IN the
WESTERN DISTRICT OF TEXAS, The Defen-
dants,

Kenneth HARRINGTON, AN EMPLOYEE
OF SECTION 8
AND

MARY F. Reece, AN INDIVIDUAL
UNLAWFULLY AND INTENTIONALLY did combine, conspire,
CONFEDERATE AND Agree with others TO
POSSESS WITH INTEND TO distribute 1 gram
OR MORE OF A CONTROLLED SUBSTANCE
MARIJUANA TO Claude L. RIVERS SR.
TO DENY THE CONSTITUTIONALLY GUARENTEED
RIGHT TO DOMESTIC TRANQUILITY.

Beck V. Prupis (2000) 529 US 494, 146 L
Ed 2d 561, 120 S Ct. 1608, 2000 CDOs
3177, 2000 Daily Journal DAR 4285, 16
BNA IER Cas 271, RICO Bus Disp
Guide (CCH) ¶ 9869, 2000 Colo JCAR
2188, 13 FLW Fed 261

HAROCO, INC. V American Nat'l Bank &
Trust Co. (1984, CA III) 747 F2d 384,
aff'd (1985) 473 US 606, 87 L Ed 2d
437, 105 S Ct. 3291 CCH Fed Secur L
Rep ¶ 92087, 1985-2 CCH Trade
Case ¶ 6667.

Blue Cross + Blue Shield of N.J., Inc. V. Phillip Morris, Inc. (1999, ED NY) 36 F Supp 2d 560, 23 EBC 2413, RICO Bus Disp Guide (CCH) 91 9686, 1999-1 CCH Trade Cases 91 72520 (criticized in Group Health Plan, Inc. V. Phillip Morris, Inc. (2000, DC Minn) 86 F Supp 2d 912, 24 EBC 2448, RICO Bus Disp Guide (CCH) 91 9853) AND (criticized in Allegheny Gen. Hosp. V. Phillip Morris, Inc. (2000, CA3 Pa) 228 F3d 429, RICO Bus Disp. Guide (CCH) 91 9949, 2000-2 CCH Trade Cases 91 73058).

Banco de Ponce V. Negrón (1989, ED NY) 726 F Supp 926, ~~affd~~ without op (1990, CA2 NY) 923 F2d 842, CERT den (1991) 498 US 1087, 112 L Ed 2d 1050, 111 S Ct. 964.

Domestic L JEN Supply & Laundry Co.
V. Central States, Southeast & South-
west Areas Pension Fund (1989, ED
Mich) 722 F Supp 1472, 11 EBC
1955, 132 BNA LRRM 2769, 114
CCH LC 91 11845.

Berg V. First American Bankshares, Inc.
(1986, App DC) 254 US App DC 198,
796 F2d 489, CCH Fed Secur L Rep
9192833.

Glusband V. Benjamin (1981, SD NY)
530 F Supp 240

F. U.S. CONST. AMENDS. 14, 18 U.S.C.
1964 (C) AND (D)

Beginning IN OR ABOUT the LAST week
of November 2001, the EXACT DATE OF
which IS UNKNOWN TO PLAINTIFF IN the
Western DISTRICT OF TEXAS, the De-
FENDANTS,

Kenneth HARRINGTON, AN Employee
OF SECTION 8
AND

MARY F. Reece, AN INDIVIDUAL

AIDED AND ABETTED by EACH other AND others,
DID KNOWINGLY AND INTENTIONALLY POSSESS
WITH INTENT TO distribute 1 gram OR MORE
A CONTROLLED substance MARIJUANA TO
Claude L. RIVERS SR. TO Deny The
CONSTITUTIONALLY GUARENTEED right TO
Domestic Tranquility.

Beck V. Prupis (2000) 529 US 494, 146 L
Ed 2d 561, 120 S Ct. 1608, 2000 CDOs
3177, 2000 Daily Journal DAR 4285, 16
BNA IER Cas 271, RICO Bus Disp
Guide (CCH) ¶ 9869, 2000 Colo JCAR
2188, 13 FLW Fed 261

HAROCO, INC. V American Nat'l Bank &
Trust Co. (1984, CA III) 747 F2d 384,
aff'd (1985) 473 US 606, 87 L Ed 2d
437, 105 S Ct. 3291 CCH Fed Secur L
Rep ¶ 92087, 1985-2 CCH Trade
Case ¶ 6667.

Blue Cross + Blue Shield of N.J., Inc. V. Phillip Morris, Inc. (1999, ED NY) 36 F Supp 2d 560, 23 EBC 2413, RICO Bus Disp Guide (CCH) 91 9686, 1999-1 CCH Trade Cases 91 72520 (criticized in Group Health Plan, Inc. V. Phillip Morris, Inc. (2000, DC Minn) 86 F Supp 2d 912, 24 EBC 2448, RICO Bus Disp Guide (CCH) 91 9853) AND (criticized in Allegheny Gen. Hosp. V. Phillip Morris, Inc. (2000, CA3 Pa) 228 F3d 429, RICO Bus Disp. Guide (CCH) 91 9949, 2000-2 CCH Trade Cases 91 73058).

Banco de Ponce V. Negrón (1989, ED NY) 726 F Supp 926, ~~affd~~ without op (1990, CA2 NY) 923 F2d 842, cert den (1991) 498 US 1087, 112 L Ed 2d 1050, 111 S Ct. 964.

Domestic L JEN Supply & Laundry Co.
V. Central States, Southeast & South-
west Areas Pension Fund (1989, ED
Mich) 722 F Supp 1472, 11 EBC
1455, 132 BNA LRRM 2769, 114
CCH LC 91 11845.

Berg V. First American Bankshares, Inc.
(1986, App DC) 254 US App DC 198,
796 F2d 489, CCH Fed Secur L Rep
9192833.

Glusband V. Benjamin (1981, SD NY)
530 F Supp 240

G. U.S. CONST. AMENDS. 14, 18 U.S.C. 1964 (C) AND (D), HOBBS ACT (18 U.S.C. 1951) U.S. CONST. AMENDS. 5.

Beginning IN OR ABOUT the LAST Week of November of 2001, the EXACT DATE of which is UNKNOWN TO the PLANTIFF, IN the Western DISTRICT of TEXAS, the DEFENDENTS, LISA GARCIA DIRECTOR OF SECTION 8, KENNETH HARRINGTON QHS INSPECTOR AND MARY F. REECE were, ACTING UNDER COLOR OF LAWS AND REGULATIONS OF the UNITED STATES OF AMERICA, Housing Authority of the City of Austin AND SECTION 8 when unlawfully,

Knowingly and INTENTIONALLY did combine, CONSPIRE, CONFEDRATE AND AGREE TO Defraud the PLANTIFF of the lawful benefits of SECTION 8 by the delivery of a controlled substance Marijuana TO the PLANTIFF residence TO CAUSE A VIOLATION OF 42 U.S.C. 13619 AND the CONSTITUTIONALLY GUARENTEED right TO Due Process.

Beck V. Prupis (2000) 529 US 494, 146 L
 Ed 2d 561, 120 S Ct. 1608, 2000 CDOS
 3177, 2000 Daily Journal DAR 4285, 16
 BNA IER Cas 271, RICO Bus Disp
 Guide (CCH) ¶ 9869, 2000 Colo JCAR
 2188, 13 FLW Fed 261

HAROCO, INC. V American Nat'l Bank &
 Trust Co. (1984, CA III) 747 F2d 384,
 aff'd (1985) 473 US 606, 87 L ED 2d
 437, 105 S Ct. 3291 CCH Fed Secur L
 Rep ¶ 92087, 1985-2 CCH Trade
 Case ¶ 6667.

Blue Cross + Blue Shield of N.J., Inc. V. Phillip Morris, Inc. (1999, ED NY) 36 F Supp 2d 560, 23 EBC 2413, RICO Bus Disp Guide (CCH) 91 9686, 1999-1 CCH Trade Cases 91 72520 (criticized in Group Health Plan, Inc. V. Phillip Morris, Inc. (2000, DC Minn) 86 F Supp 2d 912, 24 EBC 2448, RICO Bus Disp Guide (CCH) 91 9853) AND (criticized in Allegheny Gen. Hosp. V. Phillip Morris, Inc. (2000, CA3 Pa) 228 F3d 429, RICO Bus Disp. Guide (CCH) 91 9949, 2000-2 CCH Trade Cases 91 73058).

Banco de Ponce V. Negrón (1989, ED NY) 726 F Supp 926, ~~affd~~ without op (1990, CA2 NY) 923 F2d 842, cert den (1991) 498 US 1087, 112 L Ed 2d 1050, 111 S Ct. 964.

Domestic Linen Supply & Laundry Co.
V. Central States, Southeast & South-
west Areas Pension Fund (1989, ED
Mich) 722 F Supp 1472, 11 EBC
1455, 132 BNA LRRM 2769, 114
CCH LC 91 11845.

Berg V. First American Bankshares, Inc.
(1986, App DC) 254 US App DC 198,
796 F2d 489, CCH Fed Secur L Rep
9192833.

Glusband V. Benjamin (1981, SDNY)
530 F Supp 240

17. U.S. CONST. AMENDS. 14, 18 U.S.C. 1,04(C) AND (D),
HOBBS ACT (18 U.S.C. 1951) U.S. CONST. AMENDS. 5.

Beginning IN OR ABOUT the LAST
Week of November of 2001, the EXACT DATE
of which is UNKNOWN TO the PLAINTIFF, IN
the Western District of TEXAS, the DEFEN-
DENTS, LISA GARCIA DIRECTOR OF SECTION 8,
Kenneth HARRINGTON QHS INSPECTOR AND
MARY F. Reece, INDIVIDUAL were acting
UNDER COLOR OF LAWS AND REGULATIONS OF
the United STATES of America, Housing
Authority of the City of Austin AND
SECTION 8 AIDED AND ABETTED by each other
AND others, DID KNOWINGLY AND INTENTIONALLY
Possess with INTENT TO Defraud the
PLAINTIFF of the lawful benefits of
SECTION 8 by DISTRIBUTION of A
Controlled Substance MARIJUANA 1 gram
OR MORE TO the PLAINTIFF residence TO
CAUSE A VIOLATION of 42 U.S.C. 13619
AND the CONSTITUTIONALLY GUARENTEED
right TO Due Process.

Beck V. Prupis (2000) 529 US 494, 146 L
Ed 2d 561, 120 S Ct. 1608, 2000 CDOS
3177, 2000 Daily Journal DAR 4285, 16
BNA IER Cas 271, RICO Bus Disp
Guide (CCH) ¶ 9869, 2000 Colo JCAR
2188, 13 FLW Fed 261

HAROCO, INC. V AMERICAN NAT'L BANK &
Trust Co. (1984, CA III) 747 F2d 384,
aff'd (1985) 473 US 606, 87 L ED 2d
437, 105 S Ct. 3291 CCH Fed Secur L
Rep ¶ 92087, 1985-2 CCH Trade
Case ¶ 6667.

Blue Cross + Blue Shield of N.J., Inc. V. Phillip Morris, Inc. (1999, ED NY) 36 F Supp 2d 560, 23 EBC 2413, RICO Bus Disp Guide (CCH) 91 9686, 1999-1 CCH Trade Cases 91 72520 (criticized in Group Health Plan, Inc. V. Phillip Morris, Inc. (2000, DC Minn) 86 F Supp 2d 912, 24 EBC 2448, RICO Bus Disp Guide (CCH) 91 9853) AND (criticized in Allegheny Gen. Hosp. V. Phillip Morris, Inc. (2000, CA3 Pa) 228 F3d 429, RICO Bus Disp. Guide (CCH) 91 9949, 2000-2 CCH Trade Cases 91 73058).

Banco de Ponce V. Negrón (1989, ED NY) 726 F Supp 926, ~~affd~~ without op (1990, CA2 NY) 923 F2d 842, cert den (1991) 498 US 1087, 112 L Ed 2d 1050, 111 S Ct. 964.

Domestic Linen Supply & Laundry Co.
V. Central States, Southeast & South-
west Areas Pension Fund (1989, ED
Mich) 722 F Supp 1472, 11 EBC
1955, 132 BNA LRRM 2769, 114
CCH LC 91 11845.

Berg V. First American Bankshares, Inc.
(1986, App DC) 254 US App DC 198,
796 F2d 489, CCH Fed Secur L Rep
91 92833.

Glusband V. Benjamin (1981, SDNY)
530 F Supp 240

I. U.S. CONST. Amends. 14, Hobbs Act (18 U.S.C. 1951)

Beginning IN OR ABOUT JANUARY 1 of 1997, the EXACT DATE of which IS UNKNOWN TO the PLAINTIFF AND CONTINUANT TO PRESENT (JANUARY 21 of 2003) AND beyond, IN THE WESTERN DISTRICT OF TEXAS. The Housing Authority of the City of Austin AND SECTION 8 ACTING UNDER COLOR OF the laws AND regulations of the UNITED STATES OF AMERICA HAS policies AND CUSTOMS IN PLACE that enabled its AGENTS AND EMPLOYEES to tortious extract money from Utility Payment Assistance Funds AS provide by H.U.D. for "Family" OR "TENANT". Commit Fraud by MAIL by posting reduced Utility Payment Assistance checks

TO "Family" OR "Tenant" by United
STATES MAIL.

{42 U.S.C. 1983; Tennessee V. GARNER,
471 U.S. 1, 7, 105 S.Ct. 1694, 1699
(1985); BROWN V. BRYAN City., 219 F.
3d 450, 462-63 (5th Cir. 2000)}.
Hobbs ACT (18 U.S.C. 1951)

Beck V. Prupis (2000) 529 US 494, 146 L
Ed 2d 561, 120 S Ct. 1608, 2000 CDOS
3177, 2000 Daily Journal DAR 4285, 16
BNA IER Cas 271, RICO Bus Disp
Guide (CCH) ¶ 9869, 2000 Colo JCAR
2188, 13 FLW Fed 261

Haroco, Inc. V American Nat'l Bank &
Trust Co. (1984, CA III) 747 F2d 384,
aff'd (1985) 473 US 606, 87 L Ed 2d
437, 105 S Ct. 3291 CCH Fed Secur L
Rep ¶ 92087, 1985-2 CCH Trade
Case ¶ 6667.

Blue Cross + Blue Shield of N.J., Inc. V. Phillip Morris, Inc. (1999, ED NY) 36 F Supp 2d 560, 23 EBC 2413, RICO Bus Disp Guide (CCH) 91 9686, 1999-1 CCH Trade Cases 91 72520 (criticized in Group Health Plan, Inc. V. Phillip Morris, Inc. (2000, DC Minn) 86 F Supp 2d 912, 24 EBC 2448, RICO Bus Disp Guide (CCH) 91 9853) AND (criticized in Allegheny Gen. Hosp. V. Phillip Morris, Inc. (2000, CA3 Pa) 228 F3d 429, RICO Bus Disp. Guide (CCH) 91 9949, 2000-2 CCH Trade Cases 91 73058).

Banco de Ponce V. Negrón (1989, ED NY) 726 F Supp 926, ~~affd~~ without op (1990, CA2 NY) 923 F2d 842, cert den (1991) 498 US 1087, 112 L Ed 2d 1050, 111 S Ct. 964.

Domestic Linen Supply & Laundry Co.
V. Central States, Southeast & South-
west Areas Pension Fund (1989, ED
Mich) 722 F Supp 1472, 11 EBC
1955, 132 BNA LRRM 2769, 114
CCH LC 91 11845.

Berg V. First American Bankshares, Inc.
(1986, App DC) 254 US App DC 198,
796 F2d 489, CCH Fed Secur L Rep
9192833.

Glusband V. Benjamin (1981, SD NY)
530 F Supp 240

J. U.S. CONST. Amends. 14, 5, 18 U.S.C 1951.

Beginning IN OR ABOUT JANUARY 1 OF 1997, the EXACT DATE of which IS UNKNOWN TO the PLAINTIFF AND CONTINUANT TO PRESENT (JANUARY 21 OF 2003) AND beyond, IN THE WESTERN DISTRICT OF TEXAS. Defendant; The Housing Authority of the City of Austin AND SECTION 8 ACTING UNDER color of the LAWS AND regulations of United States of America has policies AND customs in place that enabled its AGENTS AND employees TO ACT with deliberate indifference to the constitutional rights of individuals. The Defendant has policies AND customs, e.g. TORTIOUS EXTRAC-TION OF MONEY FROM

"Family" AND "Tenant", tolerating unlawful acts by Agents AND Employees, tolerating misconduct by Agents AND Employees, ENCOURAGING misconduct by failing to EXERCISE due diligence, failing to ADEQUATELY Supervise, DISCIPLINE or TRAIN.

[42 U.S.C. 1983; Tennessee V. Garner, 471 U.S. 1, 7, 105 S. Ct. 1694, 1699 (1985); Brown V. Bryan City., 219 F. 3d 450, 462-63 (5th Cir. 2000)].

Beck V. Prupis (2000) 529 US 494, 146 L
Ed 2d 561, 120 S Ct. 1608, 2000 CDOs
3177, 2000 Daily Journal DAR 4285, 16
BNA IER Cas 271, RICO Bus Disp
Guide (CCH) ¶ 9869, 2000 Colo JCAR
2188, 13 FLW Fed 261

HAROCO, INC. V American Nat'l Bank &
Trust Co. (1984, CA III) 747 F2d 384,
aff'd (1985) 473 US 606, 87 L Ed 2d
437, 105 S Ct. 3291 CCH Fed Secur L
Rep ¶ 92087, 1985-2 CCH Trade
Case ¶ 6667.

Blue Cross + Blue Shield of N.J. Inc. V. Phillip Morris, Inc. (1999, ED NY) 36 F Supp 2d 560, 23 EBC 2413, RICO Bus Disp Guide (CCH) 91 9686, 1999-1 CCH Trade Cases 91 72520 (criticized in Group Health Plan, Inc. V. Phillip Morris, Inc. (2000, DC Minn) 86 F Supp 2d 912, 24 EBC 2448, RICO Bus Disp Guide (CCH) 91 9853) AND (criticized in Allegheny Gen. Hosp. V. Phillip Morris, Inc. (2000, CA3 Pa) 228 F3d 429, RICO Bus Disp. Guide (CCH) 91 9949, 2000-2 CCH Trade Cases 91 73058).

Banco de Ponce V. Negrón (1989, ED NY) 726 F Supp 926, aff'd without op (1990) CA2 NY) 923 F2d 842, cert den (1991) 498 US 1087, 112 L Ed 2d 1050, 111 S Ct. 964.

Domestic L VEN Supply & Laundry Co.
V. Central States, Southeast & South-
west Areas Pension Fund (1989, ED
Mich) 722 F Supp 1472, 11 EBC
1455, 132 BNA LRRM 2769, 114
CCH LC 91 11845.

Berg V. First American Bankshares, Inc.
(1986, App DC) 254 US App DC 198,
796 F2d 489, CCH Fed Secur L Rep
91 92833.

Glusband V. Benjamin (1981, SD NY)
530 F Supp 240

K.

COUNT 1 - VIOLATION of CONSTITUTIONAL RIGHTS

The exercise of these established policies AND customs violated plaintiff's clearly established rights under the United States Constitution to

the right TO DOMESTIC TRAN-
quility

the right TO Equal Protection

the right TO Due Process

COUNT 2 - 42 U.S.C. § 1983 Against
INDIVIDUAL DEFENDANTS

The DEFENDANTS Acted willfully,
deliberately, unlawfully, maliciously, OR
with reckless disregard for
PLAINTIFF'S CONSTITUTIONAL rights,

COUNT 3 STATE LAW CLAIMS

Fraud, Theft, Official Oppression
Delivery of a Controlled Substance,
Distribution of a Controlled
Substance.

COUNT 4 - Compliance with Notice Provisions

K. 1.

AMENDMENTS

1. Plaintiff reserves the right
AMEND lawsuit AS the factual devel-
opment of this CAUSE OF ACTION
MAKES APPARENT the need.

L.DAMAGES

— As a direct AND proximate result of defendant's conduct, plaintiff suffered the following injuries AND damages:

- A. INTENTIONAL INFLECTION OF EMOTIONAL distress.
- b. Tortious interference with CONTRACT,
- c. Breach of fiduciary duty.
- D. Breach of CONTRACT.
- E. Unfair business practices.
- F. Interference with due process.
- G. CONSTITUTIONAL Torts.
- H. Damage to reputation in the PAST AND future.

I. PAIN AND Suffering

J. Physical pain AND MENTAL Anguish
IN the PAST AND future.

K. Treble Damages.

L. STATUTORY Damages.

M. fraud.

N. MAIL fraud.

O. CONSPIRACY to Defraud.

P. CONSPIRACY AGAINST rights.

Q. Reliance damages.

M.PRAYER

— For these REASONS, plaintiff ASK for judgment AGAINST defendant for the following:

Equitable Remedy

1. Independent Arbitrator be Appointed to conduct all Administrative grievance hearing, Informal Hearing and Formal hearing.
2. The pass thru in full value, any and all Utility Assistance Payments (H.A.P. Funds) made by H.U.D. for "Family" or "Tenant".
3. Termination of contracts be Administered according to 42 U.S.C. 1436a.

4. Review AND correction of All policies AND customs that gave rise TO this lawsuit.

ACTUAL DAMAGES

5. Housing Authority of the City of Austin
\$100,000,000.00

6. SECTION 8
\$100,000,000.00

RICO RELATED DAMAGES

7. RITA WANSTROM
\$10,000,000.00

8. JACKSON COLE
\$10,000,000.00

9. HENRY FLORES
\$10,000,000.00

10. CARL S. RICHIE II
\$10,000,000.00

11. Charles Bailey
\$ 10,000,000.00
12. James L. Hargrove
\$ 10,000,000.00
13. Judy Paciocco
\$ 10,000,000.00
14. LISA GARCIA
\$ 20,000,000.00
15. DIANE FALCON
\$ 20,000,000.00
16. Kenneth Harrington
\$ 20,000,000.00
17. MARY F. Reece
\$ 20,000,000.00

Total Actual Damages \$200,000,000.00
Total RICO Related Damages \$150,000,000.00
Treble Amount \$ 450,000,000.00

18. Total \$ 800,000,000.00

20. Prejudgment AND postjudgment interest.

21. Cost of Suit

22. If ANY, reasonable Attorney fees.

23. All other relief the court
deems appropriate.

No.

I believe under penalty of perjury that
the foregoing is True AND correct.

Signed this 29th day of JANUARY, 2003.

Respectfully submitted

by: Claude Z. Rivers Jr.
Pro Se

6103 MANOR ROAD

230

AUSTIN, TX 78723

Telephone Number NONE

FAX NUMBER 512-928-9511

PLAINTIFF'S DEMAND for Jury Trial

Plaintiff, Claude L. RIVERS Sr., ASSERTS his rights under the Seventh Amendment to the U.S. Constitution AND demands, IN ACCORDANCE with Federal Rule of Civil Procedure 38, a Trial by jury ON ALL issues.

Respectfully submitted

Claude L. Rivers
Claude L. Rivers Sr., Pro Se

6103 MANOR ROAD

230

AUSTIN, TEXAS 78723

Tel. NONE

FAX. 512-428-9511